

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PAUL CORTEZ,

Petitioner,

18 **CIVIL** 766 (PAE)(JLC)

-against-

JUDGMENT

THOMAS GRIFFIN,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated August 8, 2024, the Court has adopted the Report, save with the minor modifications noted herein, and it has denied Cortez's petition. Pursuant to 28 U.S.C. § 2253(c), a district court may issue a certificate of appealability in a habeas corpus action under § 2254 "only if the applicant has made a substantial showing of the denial of a constitutional right." Id. § 2253(c). The district court is required to indicate the "specific issue of issues" that satisfy this showing. *Blackman v. Ercole*, 661 F.3d 161, 163-64 (2d Cir. 2011). For the reasons given above, in particular that Cortez has established performance deficiencies on the part of his trial counsel, the Court finds that Cortez has satisfied this standard with respect to his claims of ineffective assistance of counsel. The Court thus has issued a certificate of appealability on Cortez's Sixth Amendment claims. The Court, however, has declined to issue a certificate of appealability on the balance of Cortez's petition; accordingly, the case is closed.

DATED: New York, New York
August 9, 2024

DANIEL ORTIZ

BY:

Acting Clerk of Court

K. mango

Deputy Clerk